

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)
Plaintiff,) 8:06CR63
vs.) ORDER
WARD HUNNEL,)
Defendant.)

This matter is before the court on motion of Timothy G. Himes, Sr., and the Domina Law Group PC to withdraw as counsel for defendant Ward Hunnel (Hunnel) (Filing No. 14). The court held a hearing on the motion on May 4, 2006. Mr. Himes was present with Hunnel and the government was represented by Assistant U.S. Attorney Christian A. Martinez. Following the court's *in camera* discussion with Mr. Himes and Hunnel, it was determined that Hunnel was in the process of engaging new counsel. Mr. Hunnel also requested additional time to prepare for trial.

Accordingly, Hunnel will be given until May 12, 2006, in which to have new counsel enter an appearance in this matter. If no such appearance is made, Hunnel and Mr. Himes shall again appear before the court **at 1:30 p.m. on May 12, 2006**, in Courtroom No. 7, Second Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, for a further hearing on Mr. Himes' motion. Mr. Himes' motion to withdraw will be held in abeyance pending such hearing. Should new counsel enter an appearance before May 12, 2006, Mr. Himes' motion to withdraw will be granted and the May 12th hearing will be canceled.

IT IS SO ORDERED.

Upon Hunnel's oral motion to continue the trial of this matter,

IT IS FURTHER ORDERED:

Hunnel's oral motion to continue trial is granted. Trial of this matter is re-scheduled for **August 1, 2006**, before Judge Laurie Smith Camp and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the **time between May 4, 2006 and August 1, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)

DATED this 4th day of May, 2006.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge